



FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED
PARTIAL BANK DRAM REFRESH

the specification of which (CHECK applicable BOX(ES))

A. is attached hereto.

BOX(ES) → B. was filed on _____ as U.S. Application No. _____ / _____

→ C. was filed as PCT International Application No. PCT/ _____ / _____ on _____

and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

<u>PRIOR FOREIGN APPLICATION(S)</u>		<u>Date first Laid-open or Published</u>	<u>Date Patented or Granted</u>	<u>Priority NOT Claimed</u>
<u>Number</u>	<u>Country</u>			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

<u>PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)</u>		<u>Status</u>	<u>Priority NOT Claimed</u>
<u>Application No. (series code/serial no.)</u>	<u>Day/MONTH/Year Filed</u>		
		<u>pending, abandoned, patented</u>	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, 1600 Tysons Boulevard, McLean, VA 22102, telephone number (703) 905-2000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

G. Lloyd Knight	17698	David A. Jakopin	32995	Sean Fitzgerald	32027	James R. Thein	31710
George M. Sirilla	18221	Robert D. Anderson	33826	Leo V. Novakoski	37198	Peter Lam	44855
Alan K. Aldous	31905	Cynthia Thomas Faatz	39973	Mark Seeley	32299	Gene I. Su	45140
Jeffrey S. Draeger	41000	Charles A. Mirho	41199	Raymond J. Wemer	34752	Seth Z. Kalson	40670
David J. Kaplan	41105	Kenneth M. Seddon	43105	Calvin E. Wells	43256	Naomi Obinato	39320
Thomas C. Reynolds	32488	Steven C. Stewart	33555	Evan Finkel	49059	Steven C. Skabrat	36279
Howard A. Skaist	36008	Thomas Raleigh Lane	42781	W. Patrick Bengtsson	32456	Robert G. Winkle	37474
Charles K. Young	39435	Mark G. Paulson	30793	Jack S. Barufka	37087	Robin L. Teskin	35030
Dale S. Lazar	28872	Stephen C. Glazier	31361	Adam R. Hess	41835	Anthony L. Miele	34393
Glenn J. Perry	28458	Paul F. McQuade	31542	William P. Atkins	38821	Robert J. Walters	40862
G. Paul Edgell	24238	Richard H. Zaitlen	27248	Paul L. Sharer	36004	Jeffrey D. Karceski	35914
Roger R. Wise	31204	Joseph R. Bond	36458	Richard C. Calderwood	35468		

(1) INVENTOR'S SIGNATURE:

Date:

Howard		S.	DAVID	
First		Middle Initial	Family Name	
Residence	Portland	Oregon	USA	
City		State/Foreign Country		Country of Citizenship
Post Office Address	3745 SW 48 th Place, Portland, Oregon			
(include Zip Code)	97221			

(2) INVENTOR'S SIGNATURE:

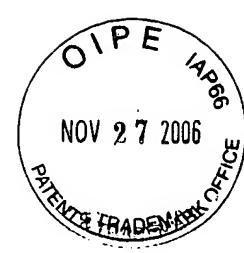
Date:

First		Middle Initial	Family Name	
Residence				
City		State/Foreign Country		Country of Citizenship
Post Office Address				
(include Zip Code)				

FOR ADDITIONAL INVENTORS, "X" box and proceed on the attached page to list each additional inventor.

See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PW294374/P15159



Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)
PATENT AND TRADEMARK CASES - RULES OF PRACTICE
DUTY OF DISCLOSURE

- (a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability... (b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made....
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

* Six months for Design Applications (35 U.S.C. 172).

Please return signed/recorded to:
Pillsbury Winthrop LLP
Intellectual Property Group
725 South Figueroa Avenue, Suite 2800
Los Angeles, CA 90017-5406

Atty. Dkt. No. PW294374 | P15159
Attorney Ref. | Client Ref.



ASSIGNMENT
OF U.S. ORIGIN PATENT APPLICATION
(to Corporation)
(or Limited Partnership)

WHEREAS, the undersigned, to wit:

Howard S. DAVID

(hereinafter ASSIGNOR), have made an invention known as Dkt.

PW 294374

and entitled: **Partial Bank DRAM Refresh**

for which an application for Letters Patent of the United States

was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;

was filed on _____, Appln. No. _____ / _____ ;

AND WHEREAS Intel Corporation (hereinafter ASSIGNEE), a corporation duly organized and existing under the laws of the State of Delaware and having its principal office and place of business at 2200 Mission College Boulevard, Santa Clara, CA 95054, desires to acquire an interest therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that has been executed by the undersigned prior hereto or concurrently herewith on the dates indicated below and is entitled **Partial Bank DRAM Refresh** and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions, that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said ASSIGNEE may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said ASSIGNEE, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said ASSIGNEE, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said ASSIGNEE, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said

ASSIGNEE, its successors, assigns, and legal representatives; and

covenant with said ASSIGNEE, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

NOTE: The undersigned hereby authorizes **PILLSBURY WINTHROP LLP** of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Executed on the date(s) below indicated.

Each Inventor: Please Sign and Date Below:

_____, 20_____
Date Name: Howard S. David

**Inventor: Please also list the
date that you signed the
accompanying
DECLARATION AND
POWER OF ATTORNEY:**

_____, 20_____
Date

(M#)